

January 26, 1967

Messrs. Watson, Leavenworth
Kelton and Taggart
100 Park Avenue
New York, N.Y. 10017
U.S.A.

RECEIVED
WLK&T

JAN 30 1967

FILE 582-440 Germany

German Patent Appln. P 35 174
Philip Morris Inc.
Your Case 582-440

Gentlemen:

Referring to your letter of January 11, 1967, we are herewith enclosing

- (1) two copies of our reply dated January 2, 1967 to the official action dated September 16, 1966,
- (2) two copies of new claims 1 to 3 as filed simultaneously,
- (3) two copies of our further brief dated January 19, 1967 with which the priority assignment and copy of U.S. 3, 280,820 have been filed. In this connection, we should like to remark that the priority assignment need not be legalized for this country.

The attached three claims have been substituted for all of the claims on file in order to delimit the claims over the cited art. Since the method claims set forth primarily only the operation of the filter, it appeared best to us to delete these claims; the same have in our opinion no chance of allowance in addition to the product claims. Please advise us, if this course of action should not meet with your approval.

As you will note, our argument reads along the lines you suggested. Further, a copy of the correct Swiss patent 149,390 is attached hereto and we apologize for our error in ordering the Swiss reference.

We also beg to enclose

- (4) our debit note in duplicate.

Very truly yours,

cc.
Encs.

2026372260